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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 10/670,283
Filing Date: September 26, 2003
Appellant(s): SATO, FUMIHIKO F.S.

James J. Kulbaski
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 06/06/2008 appealing from the Office action mailed 07/27/2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 17 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Bertram et al (US Patent 5,818,446) Bertram hereinafter

Regarding claim 17,

- Bertram teaches a user interface system, for displaying an operation menu (Fig. 1 Drawing) and transferring contents of said operation menu based on an operation input received (i.e. content received) in response to the operation menu being selected (i.e. selecting a predefined user interface), comprising: (loading/transferring Bertram Claim 1).

- a processor configured to execute a process requirement corresponding to the operation input; (Bertram claim 6, Col. 7 lines 26-35). Note: The network browser application loaded into the memory is viewed as the operation input it is being executed by the processor.

- a group of independent software objects configured to display the operation menu and to transfer the contents of said operation menu in response to the operation menu being selected, said group of independent software objects including: (software processes, user interfaces/independent software objects load/transfer, Col. 1 lines 41-51)(Abstract)

- a menu flow software object configured to control the transfer of the contents of the operation menu (content transition, Col. 7 lines 8-10)

- an operation software object separate (79, suspended interface, Fig. 4B Drawing) from the menu flow software object (i.e. selection control facility) and functioning in cooperation with the menu flow software object (i.e. selection control facility) to control processing of the operation input (Col. 7 lines 40-44) by the processor to create, change, and delete the input operation (86, Fig. 4B Drawing). **Note**: By passing all content request to the new user interface, the suspended interface (i.e. operation software objects) is functioning with the selection control facility (i.e. menu flow software object) and determines if the standard interface may or may not have contents to pass to it and the screen will appear (Col. 7 lines 54-57).

Regarding Claim 18, applicant discloses an **image forming apparatus** including a user interface system for displaying an operation menu and transferring contents of said operation.

- Bertram specifically discloses a system for changing user interfaces based on display content (Abstract). Furthermore, Bertram discloses a Bus 14 also connects a display device 24, such as an **LCD screen or monitor**, to the microprocessor 12 via a **display adapter** 26. Bus 14 also connects microprocessor 12 to memory 28 and to permanent storage 30, which can include a hard drive, tape, disk, etc (Col. 4 lines 24-40). Bertram also discloses a workstation, network computer or personal computer 10 typically will include a user interface adapter 16 for connecting the microprocessor 12 via bus 14 to one or more of the **interface devices** (Col. 4 lines 1-23) Note the display device is understood as being the image forming apparatus.

- Bertram teaches a user interface system, for displaying an operation menu (Fig. 1 Drawing) and transferring contents of said operation menu based on an operation input received (i.e. content received) in response to the operation menu being selected (i.e. selecting a predefined user interface), comprising: (loading/transferring Bertram Claim 1).

- a processor configured to execute a process requirement corresponding to the operation input; (Claim 6). Note: The network browser application loaded into the memory is viewed as the operation input it is being executed by the processor.

- a group of independent software objects configured to display the operation menu and to transfer the contents of said operation menu in response to the

operation menu being selected, said group of independent software objects including: (software processes, user interfaces/independent software objects load/transfer, Col. 1 lines 41-51)(Abstract)

- a menu flow software object configured to control the transfer of the contents of the operation menu (content transition, Col. 7 lines 8-10)

- an operation software object separate (79, suspended interface, Fig. 4B Drawing) from the menu flow software object (i.e. selection control facility) and functioning in cooperation with the menu flow software object (i.e. selection control facility) to control processing of the operation input (Claim 1) by the processor to create, change, and delete the input operation (86, Fig. 4B Drawing). **Note**: By passing all content request to the new user interface, the suspended interface (i.e. operation software objects) is functioning with the selection control facility (i.e. menu flow software object) and determines if the standard interface may or may not have contents to pass to it and the screen will appear (Col. 7 lines 54-57).

(10) Response to Argument

A Regarding claim 17, Appellant argues Bertram does not teach "transferring contents of said operation menu *based on an operation input received in response to the operation menu being selected*."

Examiner respectfully disagrees, Bertram discloses a browser (i.e. user interface) may have a **menu bar** or tool bar whose **contents** can be **changed, removed or**

arranged differently for **customization** (Col. 1 49-51). Furthermore, Bertram specifically discloses a **user interface** can be **switched** (i.e. transferred) automatically **in response** to the **receipt of a communicated desire** (i.e. input received) to change the interface based on the **data content** or format or it can be **switched** (i.e. transferred) by the specific **request by the user** (Col. 7 lines 26-35), note, the Bertram discloses **each user interface** is registered with a user interface **selection control facility** (Col. 7 lines 36-44).

B Applicant argues Bertram fails to "execute a process requirement corresponding to the operation input."

Examiner respectfully disagrees, Bertram discloses each **received URL has data contents that are processed** and **presented by the browser** either through use of its own facilities or through use of facilities present through the operating system where it is running or through other applications provided through the operating system **(Col. 3 lines 49-53).** Bertram's **appropriate method to process** is understood to disclose a **process requirement,** wherein the **"received URL has data contents that are processed" disclose "execute a process requirement corresponding to the operation input" as disclosed by the applicant. Bertram describes the an execute a process to be "presented by the browser" and since sent the process is execute the requirements were met to execute the process. Furthermore, Bertram discloses a** Bus 14 also connects a display device 24, such as an LCD screen or monitor, to the microprocessor 12 via a display adapter 26. Bus 14 also connects microprocessor 12 to memory 28 and to permanent storage 30, which can

include a hard drive, tape, disk in Fig. 5 of the Drawing and Column 4 lines 24-40 of the Specifications.

C Applicant argues that “a group of independent software objects” that are “to display the operation menu and to transfer the contents of the operation menu in response to the men being selected”....”to create, change, and delete the input operation".

Examiner respectfully disagrees, Bertram discloses any user interface is **changed** by simply **removing** the currently active user interface and control code being **executed in the processor** and **replacing** it with a **new user interface** and control code without affecting the data being displayed. The user interface can be switched automatically in response to the receipt of a communicated desire to change the interface based on data content or format or it can be switched by the specific request of the user (Col. 7 lines 26-35).

Bertram’s changing, removal, and creation are all based on operation input as disclosed by the applicant. Bertram specifically discloses switching/transitioning which is understood to mean transferring wherein a browser (i.e. user interface) may have a **menu bar** or tool bar whose **contents** can be **changed, removed or arranged differently** for **customization** (Col. 1 49-51). Furthermore, Bertram specifically discloses a **user interface** can be **switched** (i.e. transferred) automatically **in response** to the **receipt of a communicated desire** (i.e. input received) to change the interface based on the **data content** or format or it can be **switched** (i.e. transferred) by

the specific **request by the user** (Col. 7 lines 26-35), note, the Bertram discloses **each user interface** is registered with a user interface **selection control facility** (Col. 7 lines 36-44).

D Regarding Claim 18, applicant discloses an **image forming apparatus** including a user interface system for displaying an operation menu and transferring contents of said operation. Applicant admits that the arguments presented are substantially the same as those presented in claim 17.

Bertram specifically discloses a system for changing user interfaces based on display content (Abstract). Furthermore, Bertram discloses a Bus 14 also connects a display device 24, such as an **LCD screen or monitor**, to the microprocessor 12 via a **display adapter** 26. Bus 14 also connects microprocessor 12 to memory 28 and to permanent storage 30, which can include a hard drive, tape, disk, etc (Col. 4 lines 24-40). Bertram also discloses a workstation, network computer or personal computer 10 typically will include a user interface adapter 16 for connecting the microprocessor 12 via bus 14 to one or more of the **interface devices** (Col. 4 lines 1-23) Note the display device is understood as being the image forming apparatus. Appellant argues Bertram does not teach "transferring contents of said operation menu *based on an operation input received in response to the operation menu being selected*."

Examiner respectfully disagrees, Bertram discloses a browser (i.e. user interface) may have a **menu bar** or tool bar whose **contents** can be **changed, removed or arranged differently** for **customization** (Col. 1 49-51). Furthermore, Bertram

specifically discloses a **user interface** can be **switched** (i.e. transferred) automatically **in response** to the **receipt of a communicated desire** (i.e. input received) to change the interface based on the **data content** or format or it can be **switched** (i.e. transferred) by the specific **request by the user** (Col. 7 lines 26-35), note, the Bertram discloses **each user interface** is registered with a user interface **selection control facility** (Col. 7 lines 36-44).

E Applicant argues Bertram fails to "execute a process requirement corresponding to the operation input."

Examiner respectfully disagrees, Bertram discloses each **received URL has data contents that are processed** and **presented by the browser** either through use of its own facilities or through use of facilities present through the operating system where it is running or through other applications provided through the operating system **(Col. 3 lines 49-53).** Bertram's **appropriate method to process** is understood to disclose a **process requirement,** wherein the **"received URL has data contents that are processed" disclose "execute a process requirement corresponding to the operation input" as disclosed by the applicant. Bertram describes the an execute a process to be "presented by the browser" and since sent the process is execute the requirements were met to execute the process. Furthermore, Bertram discloses a** Bus 14 also connects a display device 24, such as an LCD screen or monitor, to the microprocessor 12 via a display adapter 26. Bus 14 also connects microprocessor 12 to memory 28 and to permanent storage 30, which can

include a hard drive, tape, disk in Fig. 5 of the Drawing and Column 4 lines 24-40 of the Specifications.

F Applicant argues that “a group of independent software objects” that are “to display the operation menu and to transfer the contents of the operation menu in response to the men being selected”....”to create, change, and delete the input operation".

Examiner respectfully disagrees, Bertram discloses any user interface is **changed** by simply **removing** the currently active user interface and control code being **executed in the processor** and **replacing** it with a **new user interface** and control code without affecting the data being displayed. The user interface can be switched automatically in response to the receipt of a communicated desire to change the interface based on data content or format or it can be switched by the specific request of the user (Col. 7 lines 26-35).

Bertram’s changing, removal, and creation are all based on operation input as disclosed by the applicant. Bertram specifically discloses switching/transitioning which is understood to mean transferring wherein a browser (i.e. user interface) may have a **menu bar** or tool bar whose **contents** can be **changed, removed or arranged differently** for **customization** (Col. 1 49-51). Furthermore, Bertram specifically discloses a **user interface** can be **switched** (i.e. transferred) automatically **in response** to the **receipt of a communicated desire** (i.e. input received) to change the interface based on the **data content** or format or it can be **switched** (i.e. transferred) by

the specific **request by the user** (Col. 7 lines 26-35), note, the Bertram discloses **each user interface** is registered with a user interface **selection control facility** (Col. 7 lines 36-44).

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Brandon Parker/

Examiner, Art Unit 2174

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/Steven P Sax/
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